

**COMMITTEE OF EXPERTS ON THE TRANSPORT OF
DANGEROUS GOODS AND ON THE GLOBALLY
HARMONIZED SYSTEM OF CLASSIFICATION
AND LABELLING OF CHEMICALS**

**Sub-Committee of Experts on the
Transport of Dangerous Goods**
(Twenty-second session, 2-6 December 2002,
agenda item 4(a))

NEW PROPOSALS

Outstanding issues

Transport and Security

Transmitted by the expert from the United States of America

Background

1. The expert from the United States would like to express its appreciation for the work of the United Kingdom in leading the e-mail correspondence working group to develop a proposal to include transport security provisions in the Model Regulations. The US participated in the working group and provided comments that were for the most part taken into account in the proposal that was submitted for consideration by the Sub-Committee. The US supports the proposal in ST/SG/AC.10/C.3/2002/65 in principle, but is of the opinion that some minor amendments could be considered by a drafting group to enhance the clarity of the proposal if time is available during the Sub-Committee session.
2. The proposed amendments take into account some of the security initiatives being implemented in the United States and ensure that an appropriate level of flexibility is afforded. It is necessary to account for individual circumstances such as the types and quantities of dangerous goods being transported; the modes of transport; security threat, vulnerability and consequence assessments; national or regional security threat levels and the routes of transport. Mandatory implementation of specific technology monitoring and tracking provisions at this time since is not favoured since there are a number of research and evaluation projects underway to assess the use of technology advancements and their contribution to enhancing security and it would be premature to mandate specific methods.

Proposal

"CHAPTER 1.4

SECURITY PROVISIONS

Introductory notes

***NOTE 1:** This Chapter provides requirements intended to address the security of dangerous goods in transport in all modes. ~~Mode specific security provisions can be found in Chapter 7.2.~~ The modal regulations may include additional security provisions that should be considered when offering or transporting dangerous goods.*

***NOTE 2:-** For the purposes of this Chapter security means measures or precautions to be taken to minimise theft or mis-use of dangerous goods ~~that which~~ may endanger persons or property.*

1.4.1 All persons engaged in the transport of dangerous goods shall consider security requirements ~~for the transport of dangerous goods~~ commensurate with their responsibilities and the applicable security plan(s).

1.4.2 ~~Competent authorities shall keep a register of all carriers of particularly sensitive dangerous goods indicated in Table 1. In implementing national security provisions competent authorities should consider establishing a program for indentifying consignors or carriers engaged in the transport of high consequence dangerous goods. An indicative list of high consequence dangerous goods is provided in Table 1.~~

1.4.3 **Security plans**

~~1.4.3.1~~ Carriers, consignors and others (including infrastructure managers) engaged in the transport of high consequence dangerous goods (~~see indicated in~~ Table 1) shall adopt, implement and comply with a security plan that addresses at least the elements specified in 1.4.3.2. The security plan shall take into account the individual circumstances of the carrier, consignor or company considering factors such as: the types and quantities of dangerous goods being transported; the modes of transport; security threat, vulnerability and consequence assessments; and the routes of transport. Specific measures required by the plan may vary commensurate with the level of threat at a particular time. Security plans shall be maintained in written form, retained for as long as they remain in effect and shall be readily available to the individuals that are responsible for implementing them. When the security plan is updated or revised, all copies of the plan shall be maintained as of the date of the most recent revision. The security plan shall include an assessment of possible transportation security risks, vulnerabilities, consequences and appropriate measures to reduce or eliminate the risks.

~~1.4.3.2~~ 1.4.3.1 The Elements of a security plan shall comprise at least ~~all of~~ the following elements:

- (a) specific allocation of responsibilities for security to ~~appropriately senior~~, competent and qualified persons;
- (b) records of dangerous goods transported;
and associated security risk assessments;
- (c) security risk assessments of current operations, including inter-modal transfer, temporary transit storage, handling and distribution;
- (d) clear statements of measures, including training, policies (including response to higher threat situations, employee verification etc.), operating practices (e.g. choice/use of routes where known, access to dangerous goods in temporary storage etc.), equipment and resources ~~that which~~ are to be used to reduce security risks;

- (e) effective and up to date contingency plans for reporting and dealing with security ~~incidents~~ threats, breaches of security or security incidents;
- (f) procedures for the audit and testing of ~~security contingency~~ plans and procedures for periodic review and update of the plans;
- (g) methods for verifying information provided by applicants of jobs that involve access to or handling of the dangerous goods covered by the plan.
- (h) procedures for reporting security incidents to the appropriate authorities; and
- (i) measures to ensure the security of information contained in the plan.

~~1.4.3.3~~1.4.3.2 Carriers, consignors and consignees shall co-operate with each other and with appropriate authorities to exchange threat information, apply appropriate security measures and respond to security incidents.

1.4.4 Security training

1.4.4.1 The training specified for individuals in 1.3.2 (a), (b) or (c) shall also include elements of security awareness.

~~1.4.4.2~~ Security awareness training shall address the nature of security risks, recognising security risks ~~and~~ methods to address and reduce such risks and actions to be taken in the event of a security breach. It shall include awareness of security plans commensurate with the responsibilities of individuals ~~responsibilities~~ and their part in implementing security plans. ~~in the event of a security incident.~~

~~1.4.4.3~~1.4.4.2 Such training shall be provided or verified upon employment in a position involving dangerous goods transport and shall be periodically supplemented with retraining as deemed appropriate by the competent authority.

1.4.5 Carriers, consignors and others engaged in the transport of high consequence dangerous goods (~~see indicated in~~ Table 1) shall carry out appropriate background checks (including criminal records where possible) before employing new staff. Identity documents, employment references and certificates of professional competence shall be verified.

1.4.6 Carriers, consignors and others engaged in the transport of dangerous goods, ~~indicated in Table 1,~~ shall take steps to ensure the appropriate security of written and electronic data relating to the transport of those goods. Such steps shall not preclude providing transport documentation required by Chapter 5.4 of the Model Regulations.

1.4.7 Carriers, consignors and others engaged in the transport of dangerous goods ~~indicated in Table 1~~ shall have in place procedures for individuals to report suspicious activity to the appropriate authorities.

1.4.8 Carriers and consignors of high consequence dangerous goods ~~indicated in Table 1~~ shall consider security risks when determining the choice of transport route, taking into account potential risks in densely populated areas, vulnerable sea-lanes, harbours, airports, bridges, tunnels and temporary stopping areas.

1.4.9 Transit sites, such as airside warehouses, marshalling yards and other temporary storage areas shall be properly secured, well lit and, where possible, not be accessible to the general public.

1.4.10 Consignors shall only offer high consequence dangerous goods ~~indicated in Table 1~~ to carriers that have been appropriately identified.

Table 1

PARTICULARLY SENSITIVE INDICATIVE LIST OF HIGH CONSEQUENCE DANGEROUS GOODS

~~Particularly sensitive~~High consequence dangerous goods are those that have ~~been identified as having~~ the potential for mis-use in a terrorist incident and which may, as a result, produce serious consequences such as mass casualties or mass destruction. It is anticipated that competent authorities will develop specific lists of high consequence dangerous goods taking into account the following list as well as national or regional security threat, vulnerability and consequence assessments and security threat levels. The following is an indicative list of high consequence dangerous goods~~These include:~~

Class 1, Division 1.1, 1.2, or 1.3 explosives

~~Class 1, Division 1.2 explosives~~

~~Class 1, Division 1.3 explosives~~

Class 1, Division 1.5 explosives in bulk

Division 2.1 flammable gases (excluding aerosols)

Division 2.3 toxic gases

Class 3 flammable liquids in Packing Group I and II in bulk

Division 4.1 desensitised explosives in bulk

~~[Division 4.1 self reactive substances Types A through E] of Packing Group I and Packing Group II in bulk~~

Note: Since these are not permitted for transport in bulk perhaps they should not be included in the list. We do not agree that Type F even though it can be transported in bulk should be included.

Division 5.1 oxidizing substances Packing Group I ~~and Packing Group II~~ in bulk

Division 5.1, ~~all~~ ammonium nitrate, ammonium perchlorate and ammonium nitrate fertilisers in Packing Group II in quantities of more than 500 kg per transport unit

~~[Division 5.2, substances Types A through E] subject to temperature control~~

Note: The hazard potential basically comes from "Type" not temperature control. Thermal stability is not the dominant factor in the context of "High consequences". Since Types A through E are not transported in bulk they should not be included in this list. We do not agree that Type F even though it can be transported in bulk should be included either.

Division 6.1, toxic substances Packing Group I ~~and Packing Group II~~ in bulk

Division 6.1, toxic by inhalation liquid with an inhalation toxicity of 200 ml/m³ or less and a saturated vapour concentration greater than or equal to 500 LC₅₀

Division 6.2, infectious substances of risk group 4 [Category A] in any quantity

Class 7, radioactive material in ~~quantities greater than A₁ or A₂~~ in Type B and Type C packagings This should be coordinated with IAEA.

Class 8, corrosive substances Packing Groups I and II with toxic or flammable subsidiary risk in bulk

NOTE 1: for the purpose of this Table 'in bulk' means transported in portable tanks, intermediate bulk containers, in bulk containers, or in packagings in a quantity greater than 400 kg gross mass or 450 liters or as otherwise defined in national or modal regulations provisions.

NOTE 2: in this Table, all reference to dangerous goods shall mean dangerous goods in quantities above those specified in Column 7 of the Dangerous Goods List in Chapter 3.2.

CONSEQUENTIAL AMENDMENTS

Amend 1.3.1 as follows:

Add second sentence to read “Training requirements specific to security of dangerous goods in Chapter 1.4.4 shall also be addressed.”

14. The co-sponsors further propose the adoption of the following new section 7.2.4 in Chapter 7.2 in Part 7 of the Model Regulations:

PART 7

CHAPTER 7.2

7.2.4 Security provisions for transport by road, rail and inland waterway

NOTE: These provisions are in addition to those applicable to all modes of transport as provided in Chapter 1.4.

- 7.2.4.1 Crews of road vehicles, trains and inland waterway craft transporting dangerous goods shall carry with them identification cards, vocational training certificates or other means of identification, which includes their photograph, during transport.
- 7.2.4.2 Crews of road vehicles, trains and inland waterway craft transporting dangerous goods shall comply with, and report as required by, relevant security plans (*see 1.4.3.2*). Such plans may include ~~shall be complemented by~~ the use of transport telemetry or tracking methods or devices to monitor the movement of particularly sensitive dangerous goods (*see Table 1 in Chapter 1.4*) where this would clearly enhance their security.
- 7.2.4.3 When specified by the security plan, ~~t~~The carrier shall ensure the application to vehicles and inland waterway craft transporting high consequence dangerous goods (see indicated in Table 1 of Chapter 1.4) of devices, equipment or arrangements to prevent the theft of the vehicle or inland waterway craft or its cargo and shall ensure that these are operational and effective at all times.
- 7.2.4.4 Safety inspection~~checks~~ on vehicles ~~transport units in transport~~ shall include ~~checks to~~ cover appropriate security measures.
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